



U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 2

February 08, 2019

BY ELECTRONIC MAIL

Robert Law, Ph.D.
de maximis, inc.
186 Center Street, Suite 290
Clinton, New Jersey 08809

Re: Administrative Order on Consent, No. CERCLA 02-2007-2009
Diamond Alkali Superfund Site, Operable Unit 4, Lower Passaic River Study Area

Dear Dr. Law:

This letter memorializes progress between the Environmental Protection Agency (EPA) Region 2 and the Lower Passaic River Cooperating Parties Group (CPG) regarding Operable Unit 4 (OU4) of the Diamond Alkali Site, also known as and referred to henceforth as the Lower Passaic River Study Area (LPRSA) and directs the CPG to undertake additional biota, surface water and sediment sampling in support of modeling and other ongoing efforts (collectively, current conditions sampling).

The Remedial Investigation (RI) for the LPRSA has provided adequate information indicating that certain sediment areas in the upper nine miles of the LPRSA present an unacceptable risk to human health, likely pose an unacceptable risk to the environment, and act as a source of contamination to the rest of the waterway. On October 10, 2018 EPA directed the CPG to prepare a streamlined Feasibility Study (FS) for OU4 evaluating interim remedy alternatives for a proposed interim remedy for the upper nine miles of the LPRSA. At the same time, the CPG continues work on finalizing the RI Report, including the human health and ecological risk assessments, and the modeling that supports the LPRSA RI and FS efforts.

In accordance with Administrative Settlement Agreement and Order on Consent, CERCLA 02-2007-2009 (AOC), EPA directs the CPG to initiate current conditions sampling planning and preparation. The sampling will support the CPG's ongoing work and will also represent conditions in the river prior to any remedial activities. To avoid the potential influence of resuspended sediment associated with remedial activities in the lower 8.3 miles, anticipated to begin in 2021, EPA recommends that the current conditions sampling be implemented over three field sampling seasons in 2019, 2020, and prior to the start of lower 8.3 remedial activities in 2021. Therefore, EPA directs the CPG to prepare and submit all planning documents necessary for sampling to commence.

Through ongoing LPRSA meetings and conference calls, EPA and New Jersey Department of Environmental Protection (NJDEP) will work with the CPG to identify the necessary planning documents for the current conditions sampling.

Sincerely,

A handwritten signature in dark ink, appearing to read "Diane Salkie", written in a cursive style.

Diane Salkie, Remedial Project Manager
Lower Passaic River Study Area RI/FS
Enclosure

Cc: Zizila, F. (EPA)
Sivak, M. (EPA)
Hyatt, B. (CPG)
Potter, W. (CPG)